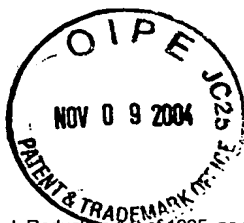


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FEE TRANSMITTAL for FY 2005 <small>Effective 10/01/2004. Patent fees are subject to annual revision.</small>		Complete if Known			
		Application Number	10/798,306-Conf. #5776		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	March 12, 2004		
		First Named Inventor	Kazutoshi Kaji		
		Examiner Name	J. Leybourne		
TOTAL AMOUNT OF PAYMENT (\$)		110.00	Art Unit	2881	
		Attorney Docket No.	N9450.0048/P048-B		
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)			
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES			
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 04-1073 Deposit Account Name: Dickstein Shapiro Morin & Oshinsky LLP		Large Entity Small Entity			
The Director is authorized to: (check all that apply)		Fee Code Fee (\$) Fee Code Fee (\$) Fee Description Fee Paid			
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		1051 130 2051 65 Surcharge - late filing fee or oath			
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet.			
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		1053 130 1053 130 Non-English specification			
FEE CALCULATION		1812 2,520 1812 2,520 For filing a request for <i>ex parte</i> reexamination			
1. BASIC FILING FEE		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action			
Large Entity Small Entity		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action			
Fee Code Fee (\$)	Fee Code Fee (\$)	1251 110 2251 55 Extension for reply within first month			
1001 790 2001 395 Utility filing fee		1252 430 2252 215 Extension for reply within second month			
1002 350 2002 175 Design filing fee		1253 980 2253 490 Extension for reply within third month			
1003 550 2003 275 Plant filing fee		1254 1,530 2254 765 Extension for reply within fourth month			
1004 790 2004 395 Reissue filing fee		1255 2,080 2255 1,040 Extension for reply within fifth month			
1005 160 2005 80 Provisional filing fee		1401 340 2401 170 Notice of Appeal			
SUBTOTAL (1) (\$)		1402 340 2402 170 Filing a brief in support of an appeal			
0.00		1403 300 2403 150 Request for oral hearing			
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1451 1,510 1451 1,510 Petition to institute a public use proceeding			
Total Claims <input type="text"/> ** = <input type="text"/> x <input type="text"/> = <input type="text"/>		1452 110 2452 55 Petition to revive - unavoidable			
Independent Claims <input type="text"/> ** = <input type="text"/> x <input type="text"/> = <input type="text"/>		1453 1,370 2453 685 Petition to revive - unintentional			
Multiple Dependent <input type="text"/> = <input type="text"/>		1501 1,370 2501 685 Utility issue fee (or reissue)			
Large Entity Small Entity		1502 490 2502 245 Design issue fee			
Fee Code Fee (\$)	Fee Code Fee (\$)	1503 660 2503 330 Plant issue fee			
1202 18 2202 9 Claims in excess of 20		1460 130 1460 130 Petitions to the Commissioner			
1201 88 2201 44 Independent claims in excess of 3		1807 50 1807 50 Processing fee under 37 CFR 1.17(q)			
1203 300 2203 150 Multiple dependent claim, if not paid		1806 180 1806 180 Submission of Information Disclosure Stmt			
1204 88 2204 44 ** Reissue independent claims over original patent		8021 40 8021 40 Recording each patent assignment per property (times number of properties)			
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		1809 790 2809 395 Filing a submission after final rejection (37 CFR 1.129(a))			
SUBTOTAL (2) (\$)		1810 790 2810 395 For each additional invention to be examined (37CFR 1.129(b))			
0.00		1801 790 2801 395 Request for Continued Examination (RCE)			
**or number previously paid, if greater; For Reissues, see above		1802 900 1802 900 Request for expedited examination of a design application			
SUBMITTED BY		Other fee (specify) 1814 Statutory Disclaimer 110.00			
(Complete (if applicable))		*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)			
Name (Print/Type)	Mark J. Thronson	Registration No. (Attorney/Agent)	33,082	Telephone	(202) 775-4742
Signature		Date	November 9, 2004		

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PTO/SB/25(09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)  
N9450.0048/P048-B

In re Application of: Kazutoshi Kaji et al.

Application No.: 10/798,306-Conf. #5776

Filed: March 12, 2004

For: **ULTIMATE ANALYZER, SCANNING TRANSMISSION ELECTRON MICROSCOPE AND  
ULTIMATE ANALYSIS METHOD**

The owner\*, Hitachi, Ltd., of 100  
percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of  
any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any  
patent granted on pending reference Application Number 10/196,577, filed on July 17, 2002,  
as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may  
be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner  
hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it  
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granted on said reference application, "as the term of any patent granted on said reference application may be shortened by  
any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such  
patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is  
found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR  
1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration  
of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency,  
etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on  
information and belief are believed to be true; and further that these statements were made with the knowledge that willful false  
statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United  
States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,082  
Mark J. Thronson 11-9-04  
Signature Date

Mark J. Thronson - 33,082

Typed or printed name

(202) 775-4742  
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

11/10/2004 9ZEWDIE1 00000043 10798306

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